

## TRANSMITTAL

FORM APR 18 2005

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number

10/763,379

Filing Date

January 23, 2004

First Named Inventor

Abram, Albert Zorko

Art Unit

1616

Examiner Name

not yet assigned

Attorney Docket Number

021706-000420US

## ENCLOSURES (Check all that apply)

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Return Postcard; References Cited (38) |
|---|--|---|

Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Townsend and Townsend and Crew LLP

Signature

Printed name

Joseph R. Snyder

Date

April 15, 2005

Reg. No.

39,381

## CERTIFICATE OF TRANSMISSION/MAILING

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Marta Vanegas

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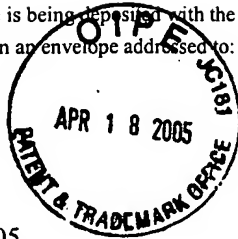
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April 15, 2005

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PATENT  
Attorney Docket No.: 021706-000420US  
Client Reference No.: 2025

On April 15, 2005

TOWNSEND and TOWNSEND and CREW LLP

By: Marta Vanegas

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Albert Zorko Abram, et al.

Application No.: 10/763,379

Filed: January 23, 2004

For: PHARMACEUTICAL FOAM

Examiner:

Art Unit: 1616

SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER 37  
CFR §1.97 and §1.98

Commissioner for Patents  
P.O. Box 1450  
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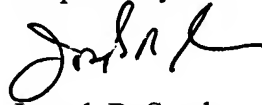
Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the foreign patent and of the non-patent references are enclosed. Pursuant to the Office's waiver published in 1287 O.G. 163, copies of the cited U.S. Patents and U.S. Patent Application Publications are not enclosed herewith. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Joseph R. Snyder  
Reg. No. 39,381

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JS:mr  
60462707 v2



<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		<b>Complete if Known</b>	
		Application Number	10/763,379
		Filing Date	January 23, 2004
		First Named Inventor	Abram, Albert Zorko
		Art Unit	1616
Examiner Name	not yet assigned		
Sheet 1 of 2	Attorney Docket Number	021706-000420US	

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US-4,806,262	02-1989	Snyder, William E.	
	2	US-5,352,437	10-1994	Nakagawa et al.	
	3	US-5,397,564	03-1995	Seki et al.	
	4	US-5,776,430	07-1998	Osborne et al.	
	5	US-6,231,875	05-15-2001	Sun et al.	
	6	US-6,284,234	09-04-2001	Niemiec et al.	
	7	US-6,383,471	05-07-2002	Chen et al.	
	8	US-6,419,913	07-16-2002	Niemiec et al.	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	9	EP	0 331 489	A2	09-06-1989	Parke Davis Pty. Ltd.		
	10	WO	85/01876	A1	05-09-1985	Lockley Services Pty. Ltd.		
	11	WO	86/00196	A1	01-16-1986	Soltec Research Pty. Ltd.		
	12	WO	88/04896	A1	07-14-1988	Soltec Research Pty. Ltd.		
	13	WO	99/53923	A1	10-28-1999	Soltec Research Pty. Ltd.		
	14	WO	00/15193	A1	03-23-2000	Soltec Research Pty. Ltd.		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>		<b>Complete if Known</b>			
		Application Number	10/763,379		
		Filing Date	January 23, 2004		
		First Named Inventor	Abram, Albert Zorko		
		Art Unit	1616		
		Examiner Name	not yet assigned		
Sheet	2	of	2	Attorney Docket Number	021706-000420US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	15	ABRAM, A. Z. and R.P.J. TOMLINSON, Mousses, Chapter 19, pp. 221-232, Soltec Research Pty Ltd., Rowville, Victoria, Australia, June 2001	
	16	R. WOODFORD and B.W. BARRY, "Bioavailability and activity of topical corticosteroids from a novel drug delivery system, the aerosol quick-break foam," J Pharm Sci. Jan; Vol. 66, No. 1; pp. 99-103, (1977)	

Examiner Signature		Date Considered	
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.